

JAP:MEG

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

COMPLAINT

- against -

(T. 8, U.S.C. §§ 1326(a)
and 1326(b)(2))

JONNATHAN LEON-CULCAY,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

ANTHONY BURER, being duly sworn, deposes and states that he is a Deportation Officer with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

On or about May 22, 2013, within the Eastern District of New York and elsewhere, the defendant JONNATHAN LEON-CULCAY, being an alien who had previously been arrested and convicted of an aggravated felony, and was thereafter excluded and removed from the United States, and who had not made a re-application for admission to the United States to which the Secretary of the Department of Homeland Security, successor to the Attorney General of the United States, had expressly consented, was found in the United States.

(Title 8, United States Code, Sections 1326(a) and 1326(b)(2)).

The source of your deponent's information and the grounds for his belief are as follows:

1. I am a Deportation Officer with ICE and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the

ICE investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

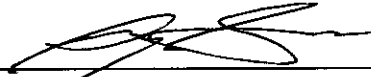
2. On or about May 22, 2013, members of the New York City Police Department ("NYPD") arrested the defendant in Queens County, New York.

3. A review of the defendant's criminal history indicates that on July 25, 2007 the defendant was convicted of Attempted Robbery in the Third Degree, in violation of Section 160.05 of the New York State Penal Law, an aggravated felony offense. The defendant, a citizen of Ecuador, was sentenced to a term of incarceration for one to three years. The defendant was removed from the United States on July 8, 2008.

4. The defendant's fingerprints were taken following his May 22, 2013 arrest. An official from ICE trained in fingerprint analysis compared the fingerprints taken in connection with the defendant's instant arrest with the fingerprints taken in connection with the defendant's July 25, 2007 conviction and July 8, 2008 removal, and determined that all three sets of fingerprints were made by the same individual.

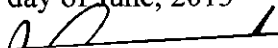
5. A search of ICE records has revealed that there exists no request by the defendant for permission from either the United States Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after removal.

WHEREFORE, your deponent respectfully requests that the defendant
JONNATHAN LEON-CULCAY be dealt with according to law.



Anthony Burer
Deportation Officer
United States Immigration and Customs Enforcement

Sworn to before me this
14th day of June, 2013



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